

AGENDA
TEXAS BOARD OF PROFESSIONAL ENGINEERS
REGULAR QUARTERLY BOARD MEETING
1917 IH35 South
Austin, TX 78741
February 15, 2012 – 10:30 A.M.

Call to Order. (Daniel O. Wong, Ph.D., P.E., Acting Presiding Officer)

1. Roll Call and Welcome Visitors
Daniel O. Wong, Ph.D., P.E.
2. Public Comment
Daniel O. Wong, Ph.D., P.E.
3. Consent Agenda
Daniel O. Wong, Ph.D., P.E.
(The following items may be acted upon under Consent Agenda and are marked with an asterisk* on the Regular Quarterly Board Meeting Agenda)
(Motion)
 - August 25, 2010, Enforcement Committee Minutes-modified (**See agenda item # 5**)
 - November 16, 2011, Licensing Committee Minutes (**See agenda item #6**)
 - November 17, 2011, Policy Advisory Opinion Committee Minutes (**See agenda item #7**)
 - November 17, 2011, Enforcement Committee Minutes (**See agenda item #8**)
 - November 17, 2011, General Issues Committee Minutes (**See agenda item #9**)
 - November 17, 2011, Regular Quarterly Board Meeting Minutes (**See agenda item #4**)
 - Administrative Reports and Outstanding Administrative Penalties and Dismissed Cases (**See agenda item #19**)
 - Licensing Applications. (**See agenda item #22**)

Discuss and Possibly Approve Board Minutes:

4. ***(Consent Agenda)** Discuss and possibly approve minutes of the August 18, 2011, Regular Quarterly Board Meeting Minutes
Daniel O. Wong, Ph.D., P.E.

Discuss and Possibly Accept Committee Minutes:

5. ***(Consent Agenda)** August 25, 2010, Enforcement Committee Minutes-modified
Daniel O. Wong, Ph.D., P.E.
6. ***(Consent Agenda)** November 16, 2011, Licensing Committee Minutes
Daniel O. Wong, Ph.D., P.E.
7. ***(Consent Agenda)** November 17, 2011, Policy Advisory Opinion Committee Minutes
8. ***(Consent Agenda)** November 17, 2011, Enforcement Committee Minutes
Daniel O. Wong, Ph.D., P.E.
9. ***(Consent Agenda)** November 17, 2011, General Issues Committee Minutes
Daniel O. Wong, Ph.D., P.E.

Discuss and Possibly Act on Reports:

10. Board Members' Activity Reports
Daniel O. Wong, Ph.D., P.E.
(Report)
11. Emeritus Members' Activity Reports
Daniel O. Wong, Ph.D., P.E.
(Report)
12. Budget
Jeff Mutscher, Finance Director
 - FY 12 1st Quarter Budget Report
(Report)

13. Personnel Matters—this agenda item will be considered under executive session as authorized under Government Code §551.074
Daniel O. Wong, Ph.D., P.E.

Discuss and Possibly Act on Issues Regarding Committee Reports or Items on the Committee Agendas:

14. Enforcement Committee

Gary Raba, D.Eng.

- Discuss and possibly act on the following rule proposal:
(Motion required)
 - §139.35 (b) Sanctions and Penalties
- Discuss, consider, and possibly act on decision resulting from SOAH case and Final Order for the following cases
Dewey Helmcamp, III, JD
(Possible motion)
- E-32736; Charles Beckham, II
- Staff Attorney Reports
(No action required)
 - SOAH Cases
 - Suits Against the Board
 - Status of Court Cases (Injunctions)

15. General Issues Committee

Daniel Wong, Ph.D., P.E,

Discussion of agency budget/fee setting process

Jeff Mutscher

(Possible Motion)

16. Policy Advisory Opinion Committee

Bobby Ballí, P.E.

- EAOR #31-Designated Engineering Representative (DER)—Consideration of whether a DER is required to be licensed in Texas.
(Motion)
- EAOR #32 – Request regarding Texas Engineering Practice Act Board Rules (Act & Rules) and Staff Procedures
(Motion)

17. Licensing Committee

Govind Nadkarni, P.E.

- Personal Appearances from Licensing Applicants
- (Motion required on all personal interviews)

Discuss and Possibly Act on Reports or Items reported by the Executive Director:

18. Executive Director's Report Lance Kinney, P.E.

(Report)

- Activity Report
- State Auditor Office Audit
- Engineers & Architects update
- Windstorm Inspection Update
- NCEES Meetings and updates
- Sunset Review Update
- Texas Quality Foundation Award Update
- Newsletter/Communication
- Outreach Activities

Discuss and Possibly Act on Enforcement/Disciplinary Matters:

19. ***(Consent Agenda)** Administrative Reports, Outstanding Administrative Penalties Dismissed Cases, Cease and Desist Order, Agreements, Injunctions/Default Judgments
C.W. Clark, P.E.
20. Agreed Board Orders
C.W. Clark, P.E.
(Motion)
 1. Arch Foundation Repair – B-32981 (Baker)
 2. Arturo S. Gaytan, P.E. – D-32395 (Balli)
 3. Pradip Talukdar, P.E. – D-32354 (Greer)
21. Consent Orders
C.W. Clark, P.E.
(Motion)
Informal Reprimands (In accordance with Board Rule 139.31(b) individual names are not listed)
 4. D-32446Practice Violations
 5. Charles Kniffin, P.E. – D-33066Sanctions Against Non-License Holders
 6. Carl W. McGloughlin – B-33104Firm Registrations/Sole Proprietorship Sanctions
 7. Triple C Project Services, Ltd. – B-33075

Discuss and Possibly Act on Licensing Applications Requiring Board Ruling:

22. ***(Consent Agenda)** Licensing Applications David Howell, P.E.
Vote or Reconfirm Votes Pursuant to Board Rule §133.87:
(Motion)
Approved for Licensure
Not Approved for Licensure
Waivers – Both
Waivers – FE
Waivers—PE
Approved for Exams
Exams not Approved
Firms Approved

Discuss and Possibly Act on Other Matters

23. Issues from Board members for future meetings
Daniel O. Wong, Ph.D., P.E.
24. Future TBPE meeting dates
Daniel O. Wong, Ph.D., P.E.

Adjourn.

The Board may meet in closed session on any agenda item listed above as authorized by the Texas Open Meetings Act, Tex. Gov't. Code Ann. Chapter 551.



Individuals needing special accommodation should contact the Texas Board of Professional Engineers at (512) 440-7723, in a timely manner.